

**Borough of Rocky Hill
Borough Council
Minutes of the Regular Meeting
March 2, 2015**

The regular meeting of the Borough Council of the Borough of Rocky Hill was called to order by Mayor Jeff Donahue at 7:40 PM followed by the salute to the flag.

NOTICE OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

Mayor Donahue read the following statement into the record: This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting was included in a list of meetings transmitted to the Courier News and Somerset Spectator on January 7, 2015. Notice remains continuously posted as to required notices under the Statute. A copy of this notice is available to the public and is on file in the Office of the Borough Clerk.

ROLL CALL

Mr. Robert Ashbaugh-present, Mr. Tom Bremner-present, Mr. Billy Dawson-present, Ms. Connie Hallman-present, Mr. Phil Kartsonis-present, Mr. Bob Uhrick-absent.

Also present: Mayor Jeff Donahue, Clerk Rebecca Newman, Deputy Clerk Christine Witt, CFO Joe Monzo, Engineer Bill Tanner and Borough Attorney Albert Cruz.

MAYOR'S COMMENTS

None

APPROVAL OF MINUTES

Regular Meeting Minutes – February 18, 2015.

Bremner moved to approve the Regular Meeting minutes and Hallman seconded the motion. Motion carried on roll call vote.

For: Ashbaugh, Bremner, Hallman

Against: None

Abstain: Dawson, Kartsonis

Executive Session Minutes – February 18, 2015

Hallman moved to approve the Executive Session minutes and Bremner seconded the motion. Motion carried on roll call vote.

For: Ashbaugh, Bremner, Hallman

Against: None

Abstain: Dawson, Kartsonis

PUBLIC COMMENT

The floor was opened to public comment. Hearing none, the floor was closed.

STATE POLICE REPORT

No report.

ENGINEER'S REPORT

Report dated March 2, 2015 was distributed and filed in the Borough Clerk's office. Engineer Tanner provided an overview of the report.

Generator Grant

Additional information has been requested by NJOEM and is due next Wednesday.

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Washington Street Sidewalk Contract

All work except top soiling/seeding and the Firehouse have been completed. A punch list will be generated for completion in the spring.

Construction Projects

Toth Lane: On hold because of weather.

Crescent Avenue Repair: Contacted Castoro.

County Striping Contract

The Borough striping has been completed but the crosswalks on the County roads still need attention.

Property Line Survey by the Pond on Crescent Ave.

Project was done and then buried by snow.

State Stormwater Discussion

Needs to be scheduled.

Trash Collection Contract

Specification being completed with bids to be advertised on March 5th. Bids scheduled to be open on May 7th and awarded May 18th.

NJDEP Water Restriction

Beginning to determine exactly what the Borough needs to do to have the restriction lifted.

Montgomery Avenue Phase III

Contract to be awarded late spring or early summer.

Small Contracts: Grass/Snow/Leaf Collection

Planning to advertise snow removal contract this year with work to span the entire 2015-16 winter season.

Would like to contract Branchburg to collect leaves in the fall.

Grass mowing contract needs to be in place by spring. Last year's contract went over budget, so measures need to be taken to avoid that happening this year.

CHIEF FINANCIAL OFFICER'S REPORT

Resolution 2015-37: Authorizing an Increase of Resolution 2014-47 for the Purchase of the Fire Chief's Vehicle

Kartsonis moved to approve the resolution authorizing an increase in Resolution 2014-47 from \$36,373.96 to \$39,319.62. Ashbaugh seconded the motion, and motion carried on roll call vote.

For: Ashbaugh, Bremner, Dawson, Hallman, Kartsonis

Against: None

Abstain: None

APPROVAL OF VOUCHERS

Bill List dated March 2, 2015 was presented for approval.

Ashbaugh moved to approve all vouchers except voucher 8347 and 8352. Motion seconded by Hallman. Motion carried on roll call vote.

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For: Ashbaugh, Bremner, Dawson, Hallman, Kartsonis
Against: None
Abstain: None

Vouchers 8347 and 8352 relating to the Rocky Hill First Aid Squad were tabled for lack of quorum. A special meeting will be scheduled to vote on these vouchers.

These bills were carried over from the February 18, 2015 meeting. Council Members Ashbaugh, Bremner, and Hallman have conflicts and cannot vote on bills related to the First Aid Squad. Attorney Cruz explained that the Doctrine of Necessity cannot be used in this case because the doctrine only applies to conflicts that can never be cured, and scheduling a meeting when all non-conflicted Council members can attend can cure this conflict. Attorney Cruz suggested scheduling a special meeting to vote on these vouchers. Attorney Cruz will also write a letter to the Local Finance Board requesting that conflicted members be allowed to vote on bills related to the First Aid Squad. Reasons to request this waiver are that Rocky Hill is a small Borough with a limited pool of volunteers and public policy encourages volunteerism, there is cross-over between the First Aid Squad and Council, and voting on bills is ministerial rather than policy making.

SPECIAL BUSINESS

Resolution 2015-38: Increasing the Amount of the Original Resolution for G&T Landscaping for Lawn Maintenance

Bremner moved to approve the Resolution increasing the contract with G&T Landscaping by \$1,834, Dawson seconded, and motion carried on roll call vote.

For: Ashbaugh, Bremner, Dawson, Hallman, Kartsonis
Against: None
Abstain: None

Resolution 2015-39: Authorizing the Hiring of Patrik Dedella as OEM Specialist

Council discussed and revised the job description that was attached to the resolution.

Hallman moved to approve the Resolution as presented, Dawson seconded, and motion carried on roll call vote.

For: Ashbaugh, Bremner, Dawson, Hallman, Kartsonis
Against: None
Abstain: None

Resolution 2015-40: Declaring a Lanier Recorder an Item of Surplus

Hallman moved to approve the Resolution, Bremner seconded, and motion carried on roll call vote.

For: Ashbaugh, Bremner, Dawson, Hallman, Kartsonis
Against: None
Abstain: None

Resolution 2015-41: Authorizing the County of Somerset to Submit the Annual Recycling Tonnage Report

Hallman moved to approve the Resolution authorizing the County to submit the 2014 recycling tonnage report, Ashbaugh seconded, and motion carried on roll call vote.

For: Ashbaugh, Bremner, Dawson, Hallman, Kartsonis
Against: None
Abstain: None

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UNFINISHED BUSINESS

None.

NEW BUSINESS

None

COMMUNICATIONS:

Communications as listed, were distributed, disseminated and filed accordingly.

PUBLIC COMMENT

Peggy Harris, 66 Crescent Ave. commented that the property at 25 Washington Street has never been shoveled.

ADJOURNMENT

Motion was made by Dawson with a second by Bremner to adjourn the meeting at 9:20 PM. Motion carried on voice vote.

Respectfully submitted:
Christine Witt
Deputy Borough

MARCH 2, 2015

List of Bills - (0110101001) CASH CURRENT FUND

Check#	Vendor	Description	Payment	Check Total
8379	12 - ARC OF SOMERSET COUNTY	PO 5260 Borough Hall cleaning Jan 2015	200.00	200.00
8380	579 - CENTRAL JERSEY TAX COLLECTOR'S & TR	PO 5264 Tax Collector's Assioaction Members	100.00	100.00
8381	60 - COURIER NEWS	PO 5261 Legal Advertising: Tax Duplicate	48.20	48.20
8382	71 - DIFRANCESCO BATEMAN PC	PO 5266 Legal services Jan. 2015	1,403.38	1,403.38
8383	83 - G & T Landscaping Inc	PO 5263 Lawn care October & November 2014	1,834.00	1,834.00
8384	115 - JML LANDSCAPING INC.	PO 5267 Toth Lane Improvement Project	17,707.66	17,707.66
8385	204 - PITNEY BOWES	PO 5248 Postage Meter Refill Jan. 2015	73.80	73.80
8386	210 - PSE&G	PO 5244 Municipal Building electric Februar	818.33	818.33
8387	210 - PSE&G	PO 5245 Crescent Point Park electric Jan. 7	7.23	7.23
8388	210 - PSE&G	PO 5246 Panicaro Park electric Jan 7-Feb 6	11.46	11.46
8389	319 - REPUBLIC SERVICES #865	PO 5256 Garbage collection Jan. 2015	3,808.49	3,808.49
8390	354 - RICOH USA, INC.	PO 5259 Copy machine rental Feb. 2015	109.73	109.73
8391	247 - SOMERSET COUNTY TREASURER	PO 5257 Snow & Ice Salting 2/9/15-2/10/15	361.64	361.64
8392	247 - SOMERSET COUNTY TREASURER	PO 5265 Snow & Ice Salting & Plowing 2/14-1	2,357.03	2,357.03
8393	251 - SOUTH BOUND BROOK BOROUGH	PO 5258 Police Service Dec. 10-Jan. 9; Cour	4,904.57	4,904.57
8394	260 - STATE WIDE WORKERS COMPENSATION FUN	PO 5254 umbrealla coverage 2015	3,965.06	3,965.06
8395	286 - VAN CLEEF ENGINEERING	PO 5255 Engineering services January 2015	4,811.50	4,811.50
8396	291 - VITAL SERVICES GROUP	PO 5251 Tax Assessment Postcards 2015; Tax	152.10	152.10
8397	320 - WESTERN PEST SERVICES	PO 5252 Yearly pest control service 2015	381.00	381.00
TOTAL				43,055.18

Total to be paid from Fund 01 CURRENT FUND

25,347.52

Total to be paid from Fund 04 GENERAL CAPITAL FUND

17,707.66

43,055.18

8369 Whelan East Coast PO 5199 Equipment for Chef's Vehicle 7,633.62
 8347 Rocky Hill First Aid Squad PO 5196 Reimbursement of Expenses 4,784.99
 8352 McNeil & Company PO 5208 RHAS Insurance 18,151.91

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List of Bills - (0810101001) CASH UTILITY OPERATING

Check#	Vendor	Description	Payment	Check Total
6984	415 - AQUA PRO TECH LABS	PO 5253 Water Dept. testing	41.00	41.00
6985	204 - PITNEY BOWES	PO 5249 Postage Machine Rental Feb. 2015	29.00	29.00
6986	210 - PSE&G	PO 5247 Water Dept. electric Jan 7-Feb 6	2,007.45	2,007.45
6987	286 - VAN CLEEF ENGINEERING	PO 5255 Engineering services January 2015	199.50	199.50
6988	289 - VERIZON	PO 5250 Water Dept. phone Feb. 2015	30.41	30.41
TOTAL				2,307.36
6989	163 - MONTGOMERY TOWNSHIP	PO 5268 2015 Sewer Fee per agreement	50,750.00	50,750.00
TOTAL				50,750.00

Total to be paid from Fund 08 UTILITY OPERATING

50,750.00

BOROUGH OF ROCKY HILL
COUNTY OF SOMERSET

RESOLUTION 2015-37

WHEREAS, on May XX the Borough of Rocky Hill approved Resolution 2014- authorizing the purchase of a fire truck vehicle; and

WHEREAS, there the original vehicle exceeded the amount by \$377.00; and

WHEREAS, the line item for the purchase of the lights to outfit the vehicle was for \$5,064.46 from East Coast Lighting; and

WHEREAS, the actual costs for the lights from East Coast Lighting were \$7633.62; and

WHEREAS, the difference in the original resolution and the final purchase is as follows:


\$377.00 for purchase of vehicle
\$2,569.06 for the light system that was installed

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Rocky Hill as follows:

1. That the original amount of the contract award of \$36, authorized by Resolution 2014- is hereby increased to \$XX.
2. That the additional payment of \$2,569.06 be release to East Coast Lighting.
3. That this resolution shall take effect immediately.

ATTEST:

By: _____
Rebecca P. Newman, RMC
Borough Clerk

By:  _____
Jeff Donahue, Mayor

I, Joseph P. Monzo, Chief Financial Officer of the Borough of Rocky Hill do hereby certify that funds for this contract are available from: _____.

Joseph P. Monzo, Chief Financial Officer

CERTIFICATION

I, Rebecca P. Newman, Acting Borough Clerk of the Borough of Rocky Hill do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council on March 2, 2015.

Rebecca P. Newman
Borough Clerk

BOROUGH OF ROCKY HILL
COUNTY OF SOMERSET

RESOLUTION 2015-38

WHEREAS, on April 7, 2014 the Borough of Rocky Hill approved Resolution 2014- authorizing the award of contract to G & T Landscaping for lawn maintenance services in the amount of \$9,600.00; and

WHEREAS, there were more lawn mowings performed than originally planned for therefore the contract amount was exceeded by \$1,834.00; and

WHEREAS, the contractor has not been paid for this overage and is awaiting payment.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Rocky Hill as follows:

1. That the original amount of the contract award of \$9,600 authorized by Resolution 2015- is hereby increased to \$11,434.00.
2. That the additional payment of \$1,834.00 be release to G & T Landscaping.
3. That this resolution shall take effect immediately.

ATTEST:

By: _____
Rebecca P. Newman, RMC
Borough Clerk

By:  _____
Jeff Donahue, Mayor

I, Joseph P. Monzo, Chief Financial Officer of the Borough of Rocky Hill do hereby certify that funds for this contract are available from: _____.

Joseph P. Monzo, Chief Financial Officer

CERTIFICATION

I, Rebecca P. Newman, Acting Borough Clerk of the Borough of Rocky Hill do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council on March 2, 2015.

Rebecca P. Newman
Borough Clerk

BOROUGH OF ROCKY HILL
COUNTY OF SOMERSET

RESOLUTION 2015-39

WHEREAS, the Borough Council approved a new position within the Borough of Rocky Hill to manage the OEM functions ; and

WHEREAS, the job description for this position is attached hereto; and

WHEREAS, Patrick Dedella possesses the necessary qualifications to perform the duties associated with the OEM Specialist position; and


WHEREAS the annual salary for this position will be \$6,000.00 for a total of 8 hours a week; and

WHEREAS, this salary will be paid from the OEM budget.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Rocky Hill, County of Somerset, State of New Jersey,as follows:

1. That Patrick Dedella be hired as the OEM Specialist for 8 hours per week at an annual salary of \$6,00.00.
2. That this resolution shall take effect immediately.

ATTEST:

By: _____ By:  _____
Rebecca P. Newman Jeff Donahue, Mayor
Acting Borough Clerk

CERTIFICATION

I, Rebecca P. Newman, Borough Clerk of the Borough of Rocky Hill do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council on March 2, 2015.

Rebecca P. Newman
Borough Clerk

RESOLUTION 2015-40

**BOROUGH OF ROCKY HILL
SOMERSET COUNTY**

WHEREAS, items as listed below are purchased equipment no longer of practical use to the Borough, and are hereby declared surplus property.

Lanier Court Recorder Model LCR-40, Serial #162949

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rocky Hill that the Certified Financial Officer be authorized to advertise the surplus items for auction on the Governmental site E Auction, and if unsuccessful, the Acting Borough Clerk shall be authorized to advertise the surplus items for donation or proper disposal.

ATTEST:

By: _____
Rebecca P. Newman
Borough Clerk

By:  _____
Jeff Donahue, Mayor

CERTIFICATION

I, Rebecca P. Newman, Borough Clerk of the Borough of Rocky Hill do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council on March 2, 2015.

Rebecca P. Newman
Borough Clerk

**AGREEMENT BETWEEN ROCKY HILL
AND THE COUNTY OF SOMERSET
FOR CERTIFIED RECYCLING PROFESSIONAL (CRP)
TO SIGN ANNUAL RECYCLING TONNAGE REPORT
Resolution 2015-41**

Beginning 2012, each New Jersey municipality is required by the Recycling Enhancement Act (REA) to have mandatory Annual Recycling Tonnage Reports approved and "signed" by a Certified Recycling Professional (hereinafter "CRP"). Recycling Tonnage Reports will be submitted via email to the New Jersey Department of Environmental Protection (NJDEP) utilizing a spreadsheet compatible with the Microsoft Excel structure provided by the Department.

THIS AGREEMENT by and between ROCKY HILL, a municipal body politic having its offices at the Borough of Rocky Hill, P.O. Box 188, Rocky Hill, New Jersey, 08553, and THE COUNTY OF SOMERSET, New Jersey, a body politic having its offices located at P.O. Box 3000, Somerville, New Jersey, 08876 (hereinafter "County" is dated this 2nd day of March, 2015.

WHEREAS, ROCKY HILL by ordinance, has duly enacted a recycling plan for all recyclable materials as designated by the Somerset County Solid Waste Management Plan and amendments thereto and:

WHEREAS, ROCKY HILL is desirous of retaining CRP services of Somerset County for signing of said Annual Recycling Tonnage Report; and

WHEREAS, the award of this contract to the Somerset County pursuant to N.J.S.A. Section 13:1E-99.14 is an exception to the bidding requirements as set forth in the "Local Public Contracts Law" pursuant to N.J.S.A. Section 40A:11-5(2), and the Board of Chosen Freeholders for Somerset County.

NOW, THEREFORE, in consideration of the terms, conditions, mutual

benefits and covenants hereinafter set forth, the ROCKY HILL and the Somerset County make this agreement.

1. ROCKY HILL shall retain the services of the Somerset County for a CRP that will be responsible for signing the mandatory annual municipal recycling tonnage report, as provided in the Somerset County Solid Waste Management Plan, and with the State NJDEP. For the period commencing DATE: January 1, 2015 through and including DATE: December 31, 2015.
2. It is understood that the responsibility for the accuracy of all tonnage and materials reported lies with the designated preparer of the Recycling Tonnage Report, which is the ROCKY HILL municipal representative. The report preparer is responsible should the NJDEP audit the report submittal. ROCKY HILL designates: Somerset County as the signer of the report as CRP.
3. It is the ROCKY HILL's responsibility to retain the appropriate documentation for five years in the event of a field review.
4. The ROCKY HILL reserves the right to reasonably amend the specifications of this Agreement by giving thirty (30) day written notification to Somerset County of any changes thereto.
5. If applicable, ROCKY HILL shall pay a fee of \$33.50 per hour for the CRP's service to the COUNTY OF SOMERSET. ROCKY HILL will pay all invoices within thirty (30) days.
6. This agreement is the entire agreement between ROCKY HILL and Somerset County and supersedes all previous agreements and discussions. Any amendments hereto must be in writing and must

be duly executed by a ROCKY HILL and Somerset County to become effective.

7. This Agreement will be entirely performed within the State of New Jersey and it shall be construed in accordance with the laws thereof.
8. If any provision of this Agreement is determined by a court of competent jurisdiction to be illegal, void, ultravires, or unconstitutional, the remainder of this Agreement shall continue in full force and effect.

IN WITNESS HERETO the parties hereto have set their hands of the proper public official as of the date and year first above written.

BOROUGH OF ROCKY HILL

BY: 

JEFF DONAHUE, Mayor
(Name & Title)

SOMERSET COUNTY

BY: 

MARK CALIGUIRE - Director
(Name & Title)

A copy of this executed agreement shall be forwarded to the NJDEP, either electronically to REATAx@dep.state.nj.us or by mail to:

NJDEP-Solid & Hazardous Waste Management Program
Bureau of Recycling & Planning
401 E. State Street
Mail Code 401-02C
P.O. Box 420
Trenton, NJ 08625-0420
Attn: Mr. Joe Davis


Kathryn Quick
Somerset County Deputy Clerk
Board of Chosen Freeholders